



00766.000053

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
KATSUhide MIYAKE, ET AL.) Examiner: Elizabeth Slobodyansky
Application No.: 09/900,038) Group Art Unit: 1652
Filed: July 9, 2001)
For: β 1,3-GALACTOSYLTRANSFERASE)
AND DNA ENCODING THE SAME : January 15, 2004

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Sir:

Applicants petition to extend the time for response to the Office Action dated July 15, 2003 to January 15, 2004. A check in the amount of \$950.00 for payment of the extension fee is enclosed. Please charge any additional fee required for the extension in connection with this paper, and credit any overpayment, to Deposit Account 06-1205.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 15, 2004

(Date of Deposit)

Frank A. DeLucia

Name of Attorney for Applicant)

Signature

January 15, 2004

Date of Signature

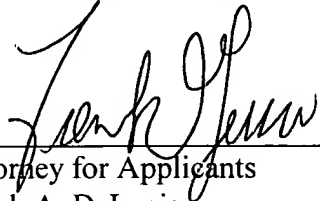
01/21/2004 HDEHESS1 00000034 09900038

02 FC:1253

950.00 OP

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

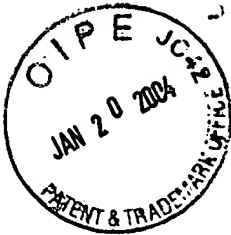
Respectfully submitted,



Attorney for Applicants
Frank A. DeLucia
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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AF
1652

Docket No. 00766.000053
Date: January 15, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: KATSUhide MIYAKE, ET AL.

Application No.: 09/900,038

For: β 1,3-GALACTOSYLTRANSFERASE AND DNA ENCODING THE SAME

Filed: July 9, 2001

Group Art Unit: 1652

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated July 15, 2003 of the Primary Examiner finally rejecting claim 28.

The item(s) checked below are appropriate.

1. ☒ A Petition for a three month extension of time to respond to the final rejection, together with the \$950.00 extension fee under 37 C.F.R. §1.17, is being filed concurrently herewith.
2. ☐ A Petition for an additional ____ month extension of time to take further action, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 15, 2004

(Date of Deposit)

Frank A. DeLucia

(Name of Attorney for Applicant)

Signature

RECEIVED
JAN 23 2004
Date of Signature

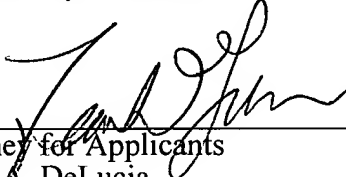
01/21/2004 HDEMESS1 00000034 09900038

01 FC:1401

330.00 OP

3. ☒ Fee \$330.00
- ☐ Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☒ Enclosed
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)
4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Frank A. DeLucia
Registration No. 42,476

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